

REMARKS

Entry of the above amendment and reconsideration of this application are respectfully requested. Upon entry of the amendments this application will contain claims 11-21 and 32-50 pending and under consideration. It is believed that the amendments and following remarks address all outstanding rejections. Accordingly, allowance is solicited.

Claims 45-47 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In support of the rejection, the Office Action notes that claim 45 as prior pending depended from itself, causing confusion as to claims 45 and 46. In response, claim 45 has been amended to corrected its dependency to claim 41. Also, the Office Action stated that the relation of the first and second microwave transparent tubes as recited in claim 47 to the microwave transparent tube recited in claim 41 was unclear. However, claim 41 does not recite a "microwave transparent tube." Rather, claim 41 recites a "microwave transparent, gas tight barrier". It is clear that such barrier element could be provided by the concentric tube structure of claim 47. Accordingly, it is believed that the metes and bounds of claim 47 are clear.

In view of the above, withdrawal of the rejection of claims 45-47 under 35 U.S.C. 112, second paragraph, is requested.

Claims 11-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Moisan et al. Patent No. 6,224,836 in view of Mutterer, Jr. et al. Patent No. 6,258,329, Warmbier et al. Patent No. 5,540,86 and/or Lautenschlager et al. Patent No. 6,033,912. To the extent maintained, this rejection is respectfully traversed. Claim 11, the independent claim of this series, has been amended to require the feature "wherein said system is configured to generate said high purity gas containing no more than 100 parts per million of water vapor." Support for this amendment is found, for example, at page 6, lines

20-25 of the application. This feature is not taught or suggested by any of the references, alone or combined. The references relied upon do not pertain to the generation of high purity gases such as those used in semiconductor manufacturing, but rather to waste gas processing (Moisan, Warmbier, Lautenschlager) or simple evaporation processing equipment in which gases are merely carried off (Mutterer). Absent any teaching or suggestion anywhere in the references of this claimed feature, the reference combination cannot render claim 11, or any of its dependent claims, obvious. Withdrawal of this rejection as to claims 11-21 is therefore solicited.

Claims 32-34, 37-44 and 49 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Moisan '836 in view of Mutterer '329, Warmbier '886 and/or Lautenschlager '912. To the extent maintained, this rejection is respectfully traversed. Claims 32 and 41, the independent claims among those here rejected, have been amended to require the feature "wherein said system is configured to generate said high purity gas containing no more than 100 parts per million of water vapor." This feature is not taught or suggested by any of the above-cited references, alone or combined. The references relied upon do not pertain to the generation of high purity gases such as those used in semiconductor manufacturing, but rather to waste gas processing (Moisan, Warmbier, Lautenschlager) or simple evaporation processing equipment in which gases are merely carried off (Mutterer). Absent any teaching or suggestion anywhere in the references of this claimed feature, the reference combination cannot render claims 32 or 41, or any of their respective dependent claims, obvious. Withdrawal of this rejection as to claims 32-34, 37-44 and 49 is therefore solicited.

Claims 35 and 36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Moisan '836 in view of Mutterer '329, Warmbier '886 and/or Lautenschlager '912 as applied to claims 32-34, 37-44 and 49 above, and in view of Ayers Patent No. 5,158,656. To the extent maintained, this rejection is

respectfully traversed. First, the device of Moisan is not configured or intended for the generation of high purity gases that would be useful in the semiconductor manufacturing industry. Neither are the devices of Mutterer, Warmbier or Lautenschlager. How then can motivation be found to borrow teachings from Ayers to hook a semiconductor fabrication device up to a waste gas processing apparatus as in Moisan? It is submitted that no such motivation could exist. The waste gases would simply not be intended for or useful in the semiconductor fabrication device. Withdrawal of this rejection is therefore earnestly solicited.

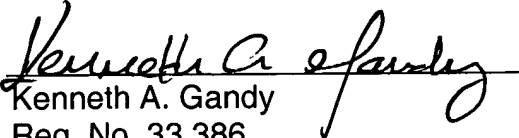
Claims 47 and 50 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Moisan '836 in view of Mutterer '329, Warmbier '886 and/or Lautenschlager '912 as applied to claims 32-34, 37-44 and 49 above, and further in view of WO 95/11750. To the extent maintained, this rejection is respectfully traversed. The WO '750 reference was relied upon in the Action for its teachings relative to the limitations of claims 47 and 50. It was not relied upon for combining any teaching to suggest a system configured to achieve an extremely low water vapor content gas, as required by claims 47 and 50 (which are dependent upon claim 41 as amended), nor could it be. Withdrawal of this rejection is thus requested.

Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moisan '836 in view of Mutterer '329, Warmbier '886 and/or Lautenschlager '912 as applied to claims 32-34, 37-44 and 49 above, and further in view of Easley et al. Patent No. 3,889,182. The Easley '182 patent was relied upon for its teachings relative to the limitation of claim 48. It was not relied upon for combining any teaching to suggest a system configured to achieve an extremely low water vapor content gas, as required by claim 48 (which is dependent upon claim 41 as amended), nor could it be. Withdrawal of this rejection is thus requested.

In view of the foregoing, reconsideration and allowance of this application containing claims 11-21 and 32-50 is requested. The Applicant would greatly appreciate assistance in bringing the prosecution of this application efficiently to

a conclusion. While it is believed that the claims as presently presented are allowable, if the Examiner believes that any objection or rejection remains applicable, the Examiner is asked to telephone the undersigned attorney to afford an opportunity for an interview prior to any further Office Action so that remaining issues can be rapidly considered and addressed.

Respectfully submitted,

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